

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action mailed December 31, 2007. Claims 45-59 were pending in the present application. This Amendment amends claims 45, 50, 54, 58, and 59, and cancels claim 49, leaving pending in the application claims 45-48 and 50-59. Reconsideration of the rejected claims is respectfully requested.

#### **I. Objection to the Claims**

Claim 49 is objected to as being a duplicate of claim 48. Applicants have canceled claim 49 such that the objection is now moot.

#### **II. Rejection under 35 U.S.C. §102**

Claims 45-53, [54], [57], 58, and 59 are rejected under 35 U.S.C. §102(b) as being anticipated by *Gerace* (US Patent No. 5,848,396). Applicants respectfully submit that *Gerace* does not disclose each element of these claims.

For example, Applicants' claim 45 as amended recites a method of providing marketing content to be displayed to a user viewing a page of information, comprising:

**associating a marketing object container with a portion of a page of information to be displayed to the user, the marketing object container including information identifying a container capacity and at least one of a location and a size of the corresponding portion;**

**enabling a marketing person to select a plurality of marketing objects to be associated with the marketing object container, each of the marketing objects able to be inserted into the marketing object container and including marketing object information able to be displayed in the portion of the page;**

**enabling the marketing person to select a plurality of marketing attributes to be associated with the marketing object container, the marketing attributes including at least one of timing and priority information for use in determining which of the plurality of marketing objects to be displayed to the user, the marketing person able to select the plurality of marketing objects and plurality of marketing attributes using a workspace able to display user-selectable information relating to the marketing object container without requiring technical knowledge about the page on the part of the marketing person;**

**receiving a request from the user to display the page of information;**

**in response to the request, analyzing the plurality of marketing attributes and the plurality of marketing objects in order to select the marketing objects to be displayed in the corresponding portion of the page of information, the selected marketing objects having object attributes matching at least some of the marketing attributes; and**

**in response to selecting the marketing objects to be displayed, dynamically generating a display for a user, in the portion of the page corresponding to the marketing object container,**

including marketing object information for a number of the selected marketing objects up to the container capacity of the marketing object container,  
wherein the steps of associating the plurality of marketing objects with the marketing object container and selecting the plurality of marketing attributes to be associated with the marketing object container are able to be performed by an entity other than the provider of the page of information

(*emphasis added*). Such limitations are not disclosed by *Gerace*.

*Gerace* discloses a system for collecting information from a user to build a user profile, and then using the user profile to display customized agate information to the user (col. 2, lines 3-23). *Gerace* thus relates to customizing content to be displayed to a user based on the user interaction with the site. Applicants' claim 45 recites "a workspace able to display user-selectable information relating to the marketing object container" to a marketing person that allows the marketing person to "select a plurality of marketing objects to be associated with the marketing object container" and "select a plurality of marketing attributes to be associated with the marketing object container" without "requiring technical knowledge about the page on the part of the marketing person". This is advantageous in part because, as set forth in the background of Applicants' specification, marketing people typically were not able to directly incorporate marketing material into a Web site, but had to notify technical personnel who could update the site according to the directions given by the marketing personnel. The marketing person thus was kept a step away from the final creative product, and marketing people were discouraged from making changes to the site due to the cost and complexity of having a technical person change the code for the site each time a change was desired. Applicants' claim 45 provides a workspace where a marketing person can simply select aspects to create or update a portion of the page, without any need for manual changing of the code. *Gerace* does not disclose or suggest a workspace allowing a non-technical person such as a marketing person to update a page. As such, *Gerace* cannot anticipate or render obvious Applicants' claim 45 or the claims that depend therefrom. The other claims recite limitations that similarly are neither disclosed nor suggested by *Gerace*, such that these claims also are not anticipated or rendered obvious by *Gerace*. Applicants therefore respectfully request that the anticipation rejections with respect to these claims be withdrawn.

### **III. Rejection under 35 U.S.C. §103**

Claims 55 and 56 are rejected under 35 U.S.C. §103(a) as being obvious over *Gerace* in view of *Sun* (US Patent No. 5,799,306). These claims are not rendered obvious by *Gerace* as discussed above, and combining *Sun* with *Gerace* does not make up for these deficiencies. *Sun* is cited as teaching object oriented programming techniques (OA p. 12). Even if it were obvious to combine such teaching with *Gerace*, the resulting combination still would not teach or suggest "a workspace able to display user-selectable information relating to the marketing object container" to a marketing person that allows the marketing person to "select a plurality of marketing objects to be associated with the marketing object container" and "select a plurality of marketing attributes to be associated with the marketing object container" without "requiring technical knowledge about the page on the part of the marketing person" as discussed above. For at least these reasons, these references cannot render these claims obvious.

Further, the Office Action alleges that it would have been obvious to allow a first party to submit packages to another party operating a Web site (OA pp. 11-12). It is respectfully submitted that there is no such teaching in the references, and no indication of how such a process could be implemented using the approach of *Gerace*. Even if for sake of argument the operator of a Web site would allow another party to specify content as would the party operating the site, at the time the invention was made, the result still would not include a workspace that allows a non-technical user to select aspects of the page to be displayed, and it is not clear how such a process would work. Presumably the first party would either have to change the code, or specify to the second party how to change the code. In either case, this still arrives at the deficiencies specified in the background and discussed above and does not provide advantages of Applicants' claims.

For at least these reasons, Applicants respectfully request that the obviousness rejections with respect to these claims be withdrawn.

### **IV. Amendment to the Claims**

Unless otherwise specified or addressed in the remarks section, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any

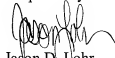
equivalents thereof. The amendments are supported by the specification and do not add new matter.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



Jason D. Lohr  
Reg. No. 48,163

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 925-472-5000  
Fax: 415-576-0300  
JDL:slh  
61325786 v1